



Yamoga Building, Old Airport Road
PO Box 1, Fort Good Hope NT X0E 0H0

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www.slwb.com

December 15, 2023

File: S23Q-001

Samantha Bayha, SAO
Hamlet of Tuli't'a
PO Box 91
Tuli't'a, NT. X0E 0K0

Sent by email

Dear Samantha Bayha,

**Re: Little Bear River Quarry – Hamlet of Tuli't'a – Renewal Issuance Package and Reasons for Decision -
– Land Use Permit S23Q-001 – Quarrying - 18 kilometers west of Tuli't'a on the south side of the
Mackenzie River, 3 km upstream of the confluence of the Little Bear River and Mackenzie River**

The Sahtu Land and Water Board (Board) met on December 13, 2023, and considered the renewal Application Package from Hamlet of Tuli't'a for Land Use Permit S16Q-003 for the Little Bear River Quarry (Project) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board has approved Land Use Permit (Permit) S23Q-001 (attached) for a term of five years, effective December 15, 2023, and expiring December 14, 2028. The Permit is supported by the Board's Reasons for Decision, as approved for the previous permit S16Q-003¹ and summarized below. These documents will be posted to the Board's Public Registry².

The Board is satisfied that:

- the development has been screened pursuant to the MVRMA.
- any potential adverse environmental effects are insignificant or mitigable with known technology and by complying with the term and conditions of the permit S23Q-001.
- there is no likelihood that the proposed development might be a cause of public concern.
- The extraction and hauling of gravel is essential to maintain municipal services and infrastructure.

¹ See SLWB Online Registry www.slwb.com for [S16Q-003 – Hamlet of Tuli't'a – Land Use Permit Issuance – Feb 10 17](#)

² See SLWB Online Registry www.slwb.com for [S23Q-001](#)

Submission Requirements

The Board's decisions on submissions that were considered in conjunction with the Application Package are set out below. The Board notes that the Quarry Operations Plan is approved by the GNWT-ECC in conjunction with the Quarry Permit issued by the same.

The Board has approved the following Plans, as previously approved under Land Use Permit S16Q-003, and for which only minor updates were made:

Condition Number and Title	Title of Plan (Version)	Date Approved
32, WASTE MANAGEMENT PLAN	Engagement Plan (V1.1) ³	February 10, 2017
42, SPILL CONTINGENCY PLAN	Waste Management Plan (V1.1) ⁴	February 10, 2017
61, ENGAGEMENT PLAN	Spill Contingency Plan (V1.1) ⁵	February 10, 2017

Inspectors

The Inspectors referred to in the Permit can be contacted at the regional GNWT-Lands offices.⁶

Permit Processes and Additional Information

Sections 5 and 6 of the Board's *Guide to the Land Use Permitting Process*⁷ (Guide) contain detailed information on permit enforcement and potential post-issuance processes, such as amendments to conditions, and assignment to another company. Please be familiar with these sections of the Guide and reach out to Board staff with any questions about Board processes related to the Permit.

Full cooperation of Hamlet of Tuli't'a is anticipated and appreciated. Please contact Bonnie Bergsma at (867) 496-2778 with any questions or concerns regarding this letter.

Yours sincerely,



Philippe Di Pizzo

Interim Chair, Sahtu Land and Water Board

BCC'd to: Tuli't'a Distribution List
Margot Ferguson, Dillon
Trevor Bremner – Inspector, GNWT-ECC

Attached: Land Use Permit S23Q-001

³ See SLWB Online Registry for S23Q-001 – [Engagement Plan – Version 1.1 – Oct 5 23.pdf](#)

⁴ See SLWB Online Registry for S23Q-001 – [Waste Management Plan – Version X – Oct 5 23.pdf](#)

⁵ See SLWB Online Registry for S23Q-001 – [Spill Contingency Plan – Version X – Oct 5 23.pdf](#)

⁶ See GNWT-Lands Inspection and Enforcement webpage (<https://www.lands.gov.nt.ca/en/services/inspections-and-enforcement>) for regional contact information.

⁷ See SLWB Policies and Guidelines webpage for MVLWB [Guide to the Land Use Permitting Process](#).



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Hamlet of Tuli't'a
Land Use Permit S23Q-001

Pursuant to the *Mackenzie Valley Resource Management Act* and Mackenzie Valley Land Use Regulations, the Sahtu Land and Water Board grants this Land Use Permit to:

Hamlet of Tuli't'a

(Permittee)

of _____ PO Box 91, Tuli't'a , NT X0E 0K0

(Mailing Address)

hereinafter called the Permittee, to proceed with the following land-use operation, subject to the annexed definitions and conditions contained therein:

Location:	18 kilometers west of Tuli't'a on the south side of the Mackenzie River, 3 km upstream of the confluence of the Little Bear River and Mackenzie River
Purpose:	Quarrying – Little Bear River Quarry
Type:	A
Effective Date:	December 15, 2023
Expiry Date:	December 14, 2023

Philippe Di Pizzo, Interim Chair
Sahtu Land and Water Board

Bonnie Bergsma, M.Sc.
Regulatory Coordinator Specialist

Conditions Annexed to and Forming Part of Land Use Permit # S23Q-001

Part A: Scope of Permit

1. This Permit entitles the Permittee to conduct the following land-use operation:
 - a) Quarrying of granular materials;
 - b) Construction, operation and maintenance of ice bridge and winter access road from the Mackenzie Valley Winter Road to the Little Bear River Quarry; and
 - c) Use of equipment, vehicles, and machines.
2. This Permit is issued subject to the conditions contained herein with respect to the use of land for the activities and area identified in Part A, item 1 of this Permit.
3. Compliance with the terms and conditions of this Permit does not excuse the Permittee from its obligation to comply with the requirements of any applicable Federal, Territorial, Deline, Tłı̄chǝ, or Municipal laws.

Part B: Definitions (defined terms are capitalized throughout the Permit)

Act - the *Mackenzie Valley Resource Management Act*.

Board - the Sahtu Land and Water Board established under Part 3 of the Act.

Borehole - a hole that is made in the surface of the ground by drilling or boring.

Closure and Reclamation - the process and activities that facilitate the return of areas affected by the Project to viable and, wherever practicable, self-sustaining ecosystems that are compatible with a healthy environment, human activities, and the surrounding environment.

Dogleg - the clearing of a line, trail, or right-of-way that is curved sufficiently so that no part of the clearing beyond the curve is visible when approached from either direction.

Durable Land - land that is able to withstand repeated use, such as gravel or sand with minimal vegetative cover.

Engagement Plan - a document, developed in accordance with the Board's *Engagement and Consultation Policy* and the *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits*, that clearly describes how, when, and which engagement activities will occur with an affected party during the life of the project.

Fuel Storage Container - a container for the storage of petroleum or allied petroleum products with a capacity of less than 230 litres.

Habitat - the area or type of site where a species or an individual of a species of wildlife naturally occurs or on which it depends, directly or indirectly, to carry out its life processes.

Inspector - an Inspector designated by the Minister under the Act.

Minister - the Minister of Indian Affairs and Northern Development Canada or the Minister of the Government of the Northwest Territories – Department of Lands, as the case may be.

Ordinary High-Water Mark - the usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land. In flowing waters (rivers, streams) this refers to the “active channel/bank-full level” which is often the 1:2 year flood flow return level. In inland lakes, wetlands, or marine environments, it refers to those parts of the Watercourse bed and banks that are frequently flooded by water so as to leave a mark on the land and where the natural vegetation changes from predominately aquatic vegetation to terrestrial vegetation (excepting water tolerant species). For reservoirs, this refers to normal high operating levels (full supply level).

Permittee - the holder of this permit.

Permafrost - ground (soil or rock) that remains at or below 0°C for at least two consecutive years.

Secondary Containment - containment that prevents liquids that leak from Fuel Storage Tanks or containers from reaching outside the containment area and includes double-walled Tanks, piping, liners, and impermeable barriers.

Shut Down Period - The period of time between March 31 and November 01 each year, for the purpose of this operation.

Spill Contingency Plan - a document, developed in accordance with Aboriginal Affairs and Northern Development Canada’s *Guidelines for Spill Contingency Planning* that describes the set of procedures to be implemented to minimize the effects of a spill.

Spring Break-up – March 31 each year, for the purpose of this operation.

Safety Data Sheet - a technical document, typically written by the manufacturer or supplier of a chemical, that provides information about the hazards associated with the product, advice about safe handling and storage, and emergency response procedures.

Waste - any garbage, debris, chemical, or Toxic Material to be used, stored, disposed of, or handled on land, and also as defined in section 51 of the Act.

Waste Management Plan - a document, developed in accordance with the Board’s Guidelines for Developing a Waste Management Plan, that describes the methods of Waste management from Waste generation to final disposal.

Watercourse - a natural body of flowing or standing water or an area occupied by water during part of the year, and includes streams, springs, swamps and gulches but does not include groundwater.

Part C: Conditions Applying to All Activities (headings correspond to subsection 26(1) of the Mackenzie Valley Land Use Regulations)

26(1)(a) Location and Area

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| 1. | The Permittee shall only conduct this land-use operation on lands designated in the application. | LOCATION OF ACTIVITIES |
| 2. | The Permittee shall not conduct any part of the land-use operation within 300 metres of any privately owned or leased land or structures, including cabins used for traditional activities, unless otherwise approved by the Board. | PRIVATE PROPERTY SETBACK |
| 3. | The Permittee shall not conduct a quarry operation within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | QUARRY SETBACK |
| 4. | The Permittee shall locate all lines, trails, and right-of-ways to be constructed parallel to any Watercourse a minimum of 100 metres from the Ordinary High Water Mark, except at crossings. | PARALLEL WATERCOURSE SETBACK |
| 5. | Prior to the commencement of the land-use operation, the Permittee shall accompany an Inspector during an inspection of the proposed land use area. | INSPECT LOCATIONS |

26(1)(b) Time

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| 6. | At least 48 hours prior to the initial commencement of the land-use operation, the Permittee's Field Supervisor shall notify the Board and contact an Inspector at (867) 587-7206 | INITIAL NOTIFICATION – CONTACT INSPECTOR |
| 7. | <u>Option 1:</u>
At least 48 hours prior to returning to the worksite following a seasonal Shut Down Period, the Permittee's Field Supervisor shall notify the Board and contact an Inspector at (867) 587-7206. | SEASONAL NOTIFICATION – CONTACT INSPECTOR |
| 8. | At least 48 hours prior to commencement of the land-use operation, the Permittee shall provide the following information, in writing, to the Board and an Inspector:

a) the name(s) of the person(s) in charge of the field operation;
b) alternates; and
c) all methods for contacting the above person(s). | IDENTIFY AGENT |

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| <p>9. At least ten days prior to Spring Break-up, the Permittee shall advise an Inspector of:</p> <ul style="list-style-type: none"> a) the plan for removal or storage of equipment and materials; and b) when cleanup and Progressive Reclamation of the land used will be completed. | <p>REPORTS BEFORE SEASONAL REMOVAL</p> |
| <p>10. At least ten days prior to the completion of the land-use operation, the Permittee shall advise an Inspector of:</p> <ul style="list-style-type: none"> a) the plan for removal or storage of equipment and materials; b) when final cleanup and reclamation of the land used will be completed; and c) when the Final Plan will be submitted. | <p>REPORTS BEFORE FINAL REMOVAL</p> |
| <p>11. The Permittee shall not conduct any activity associated with the land-use operation during the Shut Down Period.</p> | <p>SEASONAL SHUT DOWN</p> |
| <p>26(1)(c) Type and Size of Equipment</p> | |
| <p>12. The Permittee shall only use equipment of a similar type, size, and number to that listed in the complete application.</p> | <p>USE APPROVED EQUIPMENT</p> |
| <p>26(1)(d) Methods and Techniques</p> | |
| <p>13. The Permittee shall Dogleg lines, trails and right-of-ways that approach Watercourses or public roads.</p> | <p>DOGLEG APPROACHES</p> |
| <p>14. Prior to the movement of any vehicle that exerts pressure on the ground in excess of 35 kPa, the Permittee shall scout proposed lines and routes to select the best location for crossing streams and avoiding terrain obstacles.</p> | <p>DETOURS AND CROSSINGS</p> |
| <p>15. The Permittee shall construct and maintain the overland portion of winter roads with a minimum of 10 cm of packed snow and/or ice at all times during this land-use operation.</p> | <p>WINTER ROADS</p> |
| <p>16. The Permittee shall not erect camps or store material, other than that required for immediate use, on the ice surface of a Watercourse.</p> | <p>STORAGE ON ICE</p> |
| <p>26(1)(e) Type, Location, Capacity, and Operation of All Facilities</p> | |
| <p>17. The Permittee shall ensure that the land use area is kept clean at all times.</p> | <p>CLEAN WORK AREA</p> |

26(1)(f) Control or Prevention of Ponding of Water, Flooding, Erosion, Slides, and Subsidence of Land

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| 18. The land-use operation shall not cause obstruction to any natural drainage. | NATURAL DRAINAGE |
| 19. The Permittee shall install and maintain suitable erosion control structures as the land-use operation progresses. | PROGRESSIVE EROSION CONTROL |
| 20. The Permittee shall apply appropriate mitigation at the first sign of erosion. | REPAIR EROSION |
| 21. The Permittee shall prepare the site in such a manner as to prevent rutting or gouging of the ground surface. | PREVENTION OF RUTTING |
| 22. The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting or gouging. | SUSPEND OVERLAND TRAVEL |
| 23. The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. | VEHICLE MOVEMENT FREEZE-UP |
| 24. The Permittee shall only use clean water and snow in the construction of ice bridges and snow fills. | CONSTRUCT ICE BRIDGES SNOWFILLS |
| 25. Prior to Spring Break-up or completion of the land-use operation, the Permittee shall clean up and either remove or v-notch all ice bridges and snowfills from stream crossings, unless otherwise authorized in writing by an Inspector. | REMOVE ICE BRIDGES/ SNOWFILLS |
| 26. The Permittee shall not cut any stream bank, unless otherwise authorized in writing by an Inspector. | STREAM BANKS |
| 27. The Permittee shall minimize approach grades on all Watercourse crossings. | MINIMIZE APPROACH |
| 28. The Permittee shall not remove vegetation or operate heavy equipment within 100 metres of the Ordinary High Water Mark of any Watercourse. | EQUIPMENT: WATERCOURSE BUFFER |
| 29. The Permittee shall not excavate land within 100 metres of the Ordinary High Water Mark of any Watercourse, unless otherwise authorized in writing by an Inspector. | EXCAVATION SETBACK |

26(1)(g) Use, Storage, Handling, and Ultimate Disposal of Any Chemical or Toxic Material

30. The Permittee shall dispose of all combustible Waste petroleum products by removal to an approved disposal facility.

**WASTE
PETROLEUM
DISPOSAL**

26(1)(h) Wildlife and Fish Habitat

31. The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation.

HABITAT DAMAGE

26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage

32. The Permittee shall dispose of all Waste as described in the **Waste Management Plan**, once approved, and shall annually review the plan and make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval.

**WASTE
MANAGEMENT**

33. The Permittee shall keep all garbage and debris in a secure container until disposal.

**GARBAGE
CONTAINER**

26(1)(j) Protection of Historical, Archaeological, and Burial Sites

34. The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground.

**ARCHAEOLOGICAL
BUFFER**

35. The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.

SITE DISTURBANCE

36. The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered:
- a) immediately suspend operations on the site; and
 - b) notify the Board at (867) 598-2413 or an Inspector at (867) 587-7206, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71251 or ext. 71255.

**SITE DISCOVERY
AND
NOTIFICATION**

26(1)(k) Objects and Places of Recreational, Scenic, and Ecological Value

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26(1)(l) Security Deposit

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| 37. All costs to remediate the area under this Permit are the responsibility of the Permittee. | RESPONSIBILITY FOR REMEDIATION COSTS |
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26(1)(m) Fuel Storage

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| 38. The Permittee shall ensure that all fuel caches have adequate Secondary Containment. | FUEL CACHE SECONDARY CONTAINMENT |
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| 39. The Permittee shall set up all refueling points with Secondary Containment. | SECONDARY CONTAINMENT - REFUELING |
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| 40. The Permittee shall not allow petroleum products to spread to surrounding lands or Watercourses. | FUEL CONTAINMENT |
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| 41. The Permittee shall locate mobile fuel facilities on land when the facilities are stationary for more than 12 hours. | FUEL ON LAND |
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| 42. The Permittee shall comply with the Spill Contingency Plan , once approved, and shall annually review the plan and make any necessary revisions to reflect changes in operations, technology, chemicals, or fuels, or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. | SPILL CONTINGENCY PLAN |
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| 43. Prior to commencement of the land-use operation the Permittee shall ensure that spill-response equipment is in place to respond to any potential spills. | SPILL RESPONSE |
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| 44. All equipment that may be parked for two hours or more, shall have a haz-mat/drip tray under it or be sufficiently diapered. Leaky equipment shall be repaired immediately. | DRIP TRAYS |
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| 45. The Permittee shall clean up all leaks, spills, and contaminated material immediately | CLEAN UP SPILLS |
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| 46. During the period of this Permit, if a spill occurs or is foreseeable, the Permittee shall:
a) implement the approved Spill Contingency Plan;
b) report it-immediately using the NU-NT Spill Report Form by one of the following methods: <ul style="list-style-type: none">• Telephone: (867) 920-8130• Fax: (867) 873-6924• E-mail: spills@gov.nt.ca• <u>Online: Spill Reporting and Tracking Database</u> | REPORT SPILLS |
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- c) within 24 hours, notify the Board and an Inspector; and
- d) within 30 days of initially reporting the incident, submit a detailed report to the Board and an Inspector, including descriptions of causes, response actions, and any changes to procedures to prevent similar occurrences in the future. Any updates to this report shall be provided to the Board and an Inspector in writing as changes occur.

26(1)(n) Methods and Techniques for Debris and Brush Disposal

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| 47. The Permittee shall progressively dispose of all brush and trees; all disposals shall be completed prior to the end of this land use operation | BRUSH DISPOSAL/
TIME |
| 48. The Permittee shall not clear areas larger than identified in the complete application. | MINIMIZE AREA
CLEARED |

26(1)(o) Restoration of the Lands

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| 49. All outstanding liabilities and obligations of the Permittee in relation to work performed or required to be performed under Land Use Permit S16Q-003 are fully incorporated into and subsumed under this Permit, and the Permittee must therefore complete the restoration and other obligations set out in or incurred under Permit S16Q-003, as well as such further obligations as may be set out in or incurred under this Permit. | TRANSFER OF
LIABILITIES |
| 50. All areas affected by construction or removal activities shall be stabilized and landscaped to their pre-construction profiles, unless otherwise authorized in writing by an Inspector. | PRE-
CONSTRUCTION
PROFILES |
| 51. The Permittee shall store overburden and shall use it to recontour the site after operations is complete, and for reclamation as approved by the Board, or otherwise authorized in writing by an Inspector. | SAVE AND PLACE
OVERBURDEN |
| 52. Prior to the end of the land-use operation, the Permittee shall level all stockpiles of granular material located within the land use area. | LEVEL STOCKPILES |
| 53. Prior to the end of the land-use operation, the Permittee shall complete all cleanup and restoration of the lands used. | FINAL CLEANUP
AND
RESTORATION |
| 54. Prior to the end of the land-use operation, the Permittee shall prepare the site in such a manner as to facilitate natural revegetation. | NATURAL
VEGETATION |

55. The Permittee shall carry out Progressive Reclamation of disturbed areas as soon as it is practical to do so. **PROGRESSIVE RECLAMATION**

56. Prior to the end of the land-use operation, the Permittee shall restore any trails impacted by the land-use operation by removing fallen trees and any other obstructions from the trails. **TRAILS RESTORATION**

26(1)(p) Display of Permits and Permit Numbers

57. The Permittee shall always keep a copy of this Permit on hand during this land-use operation. **COPY OF PERMIT**

26(1)(q) Biological and Physical Protection of the Land

58. The Permittee shall not move any equipment or commence any drilling when one or more caribou are within 500 metres. **CARIBOU DISTURBANCE**

59. If nesting areas are encountered during the course of operations, the Permittee shall minimize all activity so as to not disturb them. **MIGRATORY BIRD NEST DISTURBANCE**

60. If any plan is not approved by the Board, the Permittee shall revise the plan according to the Board's direction and re-submit it to the Board for approval. **RESUBMIT PLAN**

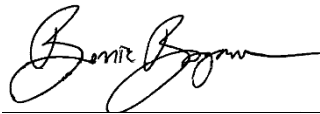
61. The Permittee shall comply with the **Engagement Plan**, once approved, and shall annually review the plan and make any necessary revisions to reflect changes in operations or as directed by the Board. Revisions to the plan shall be submitted to the Board for approval. **ENGAGEMENT PLAN**

62. All revised plans submitted to the Board shall include a brief summary of the changes made to the plan. **SUMMARY OF CHANGES**



Philippe Di Pizzo, Interim Chair

Sahtu Land and Water Board



Bonnie Bergsma, M.Sc.

Regulatory Coordinator Specialist
